THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.25845 of 2005

Date:08.12.2005

D.Naga Babu.

--------PETITIONER

The Regional Joint Director of School Education, Waranagal and others.

---------RESPONDENTS

ORDER:

The petitioner was appointed as a Secondary Grade Teacher in the year 1996 against an unaided vacancy in Sri Seetharama Aided High School Satyanarayanapuram, Charla Mandal, Khammam District, 5th respondent herein. One post of Secondary Grade Teacher was transferred to the 5th respondent-School from another aided primary school. The Management submitted proposals for absorption of the petitioner against the post of Secondary Grade Teacher, so transferred. The District Educational Officer, 2nd respondent herein, has recommended for such absorption, through his proceedings, dated 12.10.2004, to the Regional Joint Director of School Education, Warangal, the 1st respondent herein. However, the 1st respondent rejected the proposal through his orders, dated 26.11.2004, placing reliance upon G.O.Ms.No.75, School Education (PS-2) Department, dated 23.09.2002. The 2nd respondent, in turn, passed orders, dated 16.02.2005, communicating the result. The petitioner challenges the orders, dated 26.11.2004, passed by the 1st respondent and communicated through proceedings, dated 16.02.2005, by the 2nd respondent.

Heard the learned counsel for the petitioner and the learned Government

Pleader for School Education.

Though Sri D.Linga Rao, the learned counsel for the petitioner had urged several contentions, including the purport of G.O.Ms.No.75, dated 23.09.2002, this Court is not inclined to deal with the same at this stage. Under Section 89 of the Andhra Pradesh Education Act, 1982, any person aggrieved by an order passed by the Regional Joint Director can file an appeal before the Director and Commissioner of School Education, 3rd respondent herein. In fact, it is represented that the Management has since preferred an appeal on 24.10.2005 against the impugned order. The petitioner can either prefer an independent appeal or get himself impleaded in the appeal preferred by the Management.

Therefore, the Writ Petition is disposed of, leaving it open to the petitioner either to prefer an independent appeal before the 3rd respondent against the impugned order or get himself impleaded in the appeal, which is said to have been preferred by the Management. As and when such steps are taken by the petitioner, the 3rd respondent shall dispose of the matter within a period of two (2) months thereafter. There shall be no order as to costs.

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08.12.2005

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